

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

In Re: )  
 )  
 )  
 )  
 BILLY DANIEL BOWLES ) ORDER  
 TAMMY GAIL BOWLES, )  
 ) No. B-08-50065 C-13W  
 )  
 )  
 Debtors. )

The Chapter 13 case of Billy Daniel Bowles and Tammy Gail Bowles (the "Debtors") came before the Court on September 23, 2009 on a motion by Branch Banking & Trust Company ("BB&T") for relief from the automatic stay pursuant to 11 U.S.C. §362 to repossess and liquidate a 2006 Dodge Durango (the "Vehicle"). All interested parties having received proper notice, appearing at the hearing were William V. Bost for the Debtors, Jewel A. Farlow for BB&T, and Vernon J. Cahoon for the Chapter 13 Trustee.

The parties informed the Court that the Debtors do not oppose BB&T's motion; therefore, it is

**ORDERED** that the automatic stay is modified to allow BB&T to repossess and liquidate the Vehicle; and it is further

**ORDERED** that BB&T will have a period until January 4, 2010 to file a deficiency claim after liquidating the Vehicle. Any deficiency claim filed by this deadline will be allowed as filed unless a party in interest objects. Any deficiency claim filed after this deadline will be disallowed; and it is further

**ORDERED** that any net proceeds from liquidation of the Vehicle, after payment of all liens and costs, are to be forwarded to the Chapter 13 Trustee; and it is further

**ORDERED** that the relief provided herein is immediate notwithstanding the provisions of Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure.

PARTIES TO BE SERVED

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